

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANGEL M. CAPOTE, on behalf of himself and all others
similarly situated,

Plaintiff,

-against-

S. KATZMAN PRODUCE, INC., d/b/a S. KATZMAN
PRODUCE, STEPHEN KATZMAN, STEFANIE
KATZMAN, and MARIO ANDREANI,

Defendants.

ANALISA TORRES, District Judge:

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15 Civ. 9632 (AT)

ORDER

By order dated April 4, 2016, the Court denied the parties' request for approval of their settlement agreement without prejudice to renewal. ECF No. 11. On April 14, 2016, the parties submitted a revised settlement agreement that limits the broad releases included in the original agreement and provided documentation supporting their request for attorneys' fees. ECF No. 12.

Having carefully reviewed the revised settlement agreement and considered the *Wolinsky* factors, the Court finds the settlement agreement to be "fair and reasonable." *Wolinsky v. Scholastic Inc.*, 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012); *see also Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015). The Court also finds an award of \$23,640.50 for attorneys' fees to be reasonable. Plaintiffs' counsel expended approximately 80 hours in litigating this action, ECF No. 12 at 5-6, resulting in a reasonable effective hourly rate and lodestar calculation. *See Fujiwara v. Sushi Yasuda Ltd.*, 58 F. Supp. 3d 424, 437 (S.D.N.Y. 2014) ("Courts in this District have determined in recent cases that a fee ranging from \$250 to \$450 is appropriate for experienced litigators in wage-and-hour cases." (internal quotation marks omitted)).

Accordingly, the parties' request for approval of the revised settlement agreement and the award of attorneys' fees is GRANTED. The Court shall retain jurisdiction over the settlement for the purposes of enforcement. The parties shall abide by all terms of the agreement, which are incorporated herein, and this order.

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: May 10, 2016
New York, New York



ANALISA TORRES
United States District Judge